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August 6, 2014

The Honorable Veronica L. Duffy
U. S. Magistrate Judge
515 9th Street, #244
Rapid City, SD 57701

RE: *Brooke LeBeau v. Progressive Northern Insurance Company*
Civ. 12-5044

Dear Judge Duffy:

This morning, via e-mail, I received a copy of Plaintiff's August 4, 2014, "Motion to Seal." This Motion relates to Exhibits 3 and 4 of Plaintiff's Opposition to Progressive's Motion for Partial Summary Judgment.

On behalf of Progressive, I will be filing a Reply Brief addressing these specific documents. In the meantime, I wanted to advise the Court as soon as possible that Progressive has no objection to Plaintiff's Motion to Seal. The documents addressed in Plaintiff's Motion to Seal were not generated as discovery in this case, but rather come from other cases in which Plaintiff's counsel's office has sued Progressive. Those cases were likely governed by a Protective Order, which is why I assume Plaintiff is attempting to seal those documents in this litigation.

By copy of this letter, I am advising Attorney Zephier of the same. I am also advising Attorney Zephier that Progressive expects counsel will honor the terms of any Protective Order entered by other Courts in other litigation. Progressive intends to fully enforce its rights under any such Protective Order.

Thank you.

Sincerely,

MAY & JOHNSON, P.C.

By 

Mark J. Arndt

MJA/jdr

cc: Robin L. Zephier
Jim Jeffries